

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85838856
LAW OFFICE ASSIGNED	LAW OFFICE 110
MARK SECTION	
MARK FILE NAME	http://tmng-al.uspto.gov/resting2/api/img/85838856/large
LITERAL ELEMENT	IT IS INNOVATION (I3)
STANDARD CHARACTERS	NO
USPTO-GENERATED IMAGE	NO
GOODS AND/OR SERVICES SECTION (009)(no change)	
GOODS AND/OR SERVICES SECTION (016)(no change)	
GOODS AND/OR SERVICES SECTION (042)(current)	
INTERNATIONAL CLASS	042
DESCRIPTION	
providing a website featuring news and information related to the consumer technology industry, the foregoing excludes any application to educational, teaching, training, instructional, meeting and conference apparatus and/or equipment, sets of instructions and materials	
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (042)(proposed)	
INTERNATIONAL CLASS	042
TRACKED TEXT DESCRIPTION	
providing a website featuring news and information related to the consumer technology industry, the foregoing excludes any application to educational, teaching, training, instructional, meeting and conference apparatus and/or equipment, sets of instructions and materials; <u>providing a website featuring news and information related to the consumer technology industry, namely, new and information about innovation in technology, policy and business, entrepreneurs, industry leaders and startups that grow the consumer technology industry, the foregoing excludes any application to educational, teaching, training, instructional, meeting and conference apparatus and/or equipment, sets of instructions and materials</u>	
FINAL DESCRIPTION	
providing a website featuring news and information related to the consumer technology industry, namely, new and information about innovation in technology, policy and business, entrepreneurs, industry leaders and startups that grow the consumer technology industry, the foregoing excludes any application to educational, teaching, training, instructional, meeting and conference apparatus and/or equipment, sets of instructions and materials	
FILING BASIS	Section 1(b)
SIGNATURE SECTION	
RESPONSE SIGNATURE	/Christopher Kelly/
SIGNATORY'S NAME	Christopher Kelly
SIGNATORY'S POSITION	Attorney of record, DC Bar

SIGNATORY'S PHONE NUMBER	2027197000
DATE SIGNED	09/26/2016
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	NO
FILING INFORMATION SECTION	
SUBMIT DATE	Mon Sep 26 09:40:16 EDT 2016
TEAS STAMP	USPTO/RFR-XXX.XXX.XXX.X-2 0160926094016237122-85838 856-550ce552d586956b26ee4 8cc6c7a636c8b10433b2c98b4 8f25b65d8fe1bb5949da-N/A- N/A-20160926093540695406

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PTO Form 1960 (Rev 10/2011)

OMB No. 0651-0050 (Exp 07/31/2017)

Request for Reconsideration after Final Action

To the Commissioner for Trademarks:

Application serial no. **85838856** IT IS INNOVATION (I3) (Stylized and/or with Design, see <http://tmng-al.uspto.gov/resting2/api/img/85838856/large>) has been amended as follows:

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 042 for providing a website featuring news and information related to the consumer technology industry, the foregoing excludes any application to educational, teaching, training, instructional, meeting and conference apparatus and/or equipment, sets of instructions and materials

Original Filing Basis:

Filing Basis: Section 1(b), Intent to Use: *For a trademark or service mark application:* As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. ***For a collective trademark, collective service mark, or collective membership mark application:*** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. ***For a certification mark application:*** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

Proposed:

Tracked Text Description: ~~providing a website featuring news and information related to the consumer technology industry, the foregoing excludes any application to educational, teaching, training, instructional, meeting and conference apparatus and/or equipment, sets of instructions and materials;~~ providing a website featuring news and information related to the consumer technology industry, namely, new and information about innovation in technology, policy and business, entrepreneurs, industry leaders and startups that grow the consumer technology industry, the foregoing excludes any application to educational, teaching, training, instructional, meeting and conference apparatus and/or equipment, sets of instructions and materials

Class 042 for providing a website featuring news and information related to the consumer technology industry, namely, new and information about innovation in technology, policy and business, entrepreneurs, industry leaders and startups that grow the consumer technology industry, the foregoing excludes any application to educational, teaching, training, instructional, meeting and conference apparatus and/or equipment, sets of instructions and materials

Filing Basis: Section 1(b), Intent to Use: *For a trademark or service mark application:* As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. ***For a collective trademark, collective service mark, or collective membership mark application:*** As of the application filing date, the applicant had a

bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. ***For a certification mark application:*** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /Christopher Kelly/ Date: 09/26/2016

Signatory's Name: Christopher Kelly

Signatory's Position: Attorney of record, DC Bar

Signatory's Phone Number: 2027197000

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the owner's/holder's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the owner/holder in this matter: (1) the owner/holder has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the owner/holder has filed a power of attorney appointing him/her in this matter; or (4) the owner's/holder's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

The applicant is not filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 85838856

Internet Transmission Date: Mon Sep 26 09:40:16 EDT 2016

TEAS Stamp: USPTO/RFR-XXX.XXX.XXX.X-2016092609401623

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